REMARKS

Claim 1 has been amended as needed so as to sharpen its definition of the invention relative to the applied references.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as unpatentable over GOODMAN et al. 5,284,003 in view of SPATAFORA 5,791,124 and VAN DAM 6,574,943.

Even if the combination of references is made, there would be no teaching of forming a first linear group consisting of a single row, transferring that first group into a cassette, thereafter providing a second linear group in a single row and transferring the second linear group into the cassette by placing the second group horizontally adjacent to the first group, thereby to form two horizontally side-by-side groups of bags.

In other words, we proceed from a single row formation, which can be very accurately done, to a double row configuration in the cassette, which can also be very accurately done by placing the two rows in side-by-side relationship separately and sequentially. This is pointed out toward the bottom of page 5 of our specification.

In greater detail:

From GOODMAN et al., it is known to engage a layer of bags by head 600 and transfer them into container 708. Subsequently, a further layer can be provided by head 600 and placed on top of the previous layer in container 708. This is

indicated, for example, on page 9 from line 36. After the container 708 is filled, it is rotated to displace the several layers of bags into carton 800.

There are a number of differences between this method and the method according to the subject application.

First of all, in the subject application the rows of products are placed adjacent to each other and not placed as layers. This is immediately clear from Figs. 2 and 3. This is also recited in claim 1, lines 9-11.

A second difference is that after the cassette 15 is filled, transfer of the bags is in a lateral direction into carton 25. This is described in the last three lines of claim 1.

These two differences, placing stacks of layers adjacent to each other in the cassette and moving the contents of the cassette in a box having its opening in a lateral direction, cannot be found in the SPATAFORA specification.

With regard to VAN DAM, please note that there are no adjacent rows of products. Therefore, VAN DAM cannot teach adjacent rows in the sense of the present invention.

Claim 5 is drawn to the assembly, in contrast to the method of claim 1. That assembly defines the cassette as having a closable insertion opening at its top, a stationary bottom, two opposed stationary side walls, and two displaceable side walls, one of the displaceable side walls comprising a pusher plate for transferring the group into a box and the other of the

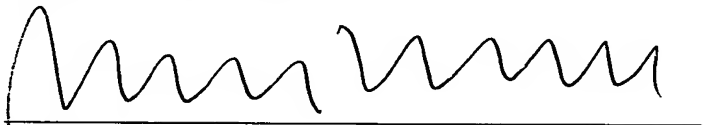
displaceable walls being displaceable to allow passage of the group of bags from the cassette into a box. We do not find this in any of the cited references or any proper combination thereof.

As the claims as amended clearly bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

RJP/lrs